

VIA CERTIFIED MAIL-RETURN RECEIPT REQUESTED

February 28, 2011

Ms. Shirley Fujimoto, Esq.
McDermott Will & Emery
600 Thirteenth Street, NW
Washington, DC 20005-3096

Re: EB-09-GB-0015

Dear Ms. Fujimoto:

On February 18, 2009, the Federal Communications Commission notified Xcel Energy Inc. that it had received complaints from Mr.(name withheld) that equipment operated by your client might be causing harmful radio interference to his amateur radio equipment. Mr. (name withheld) contact information is as follows:

(Name withheld)
(Address withheld)
(Address withheld)
Tel: (Number withheld)

The February 18, 2009, letter advised Xcel Energy that the interference, if unresolved, could be a violation of Commission rules. For this reason, we encouraged Xcel Energy to voluntarily resolve the matter without Commission intervention. The letter specifically stated, however, that if it became necessary for the Commission to facilitate a resolution, the Commission might investigate possible rule violations and address appropriate remedies, including monetary forfeitures.¹ On September 2, 2009, you reported on behalf of your client that eight (8) structures had been identified as the source(s) of the interference and that those structures had been repaired. For a time, those repairs were successful in alleviating the interference to Mr. (name withheld) amateur radio equipment. Mr. (name withheld) reports, however, that the interference has returned and it is now greater than ever.

Given that your client made significant repairs in an attempt to alleviate the interference, the Commission will allow your client sixty (60) days from the date of this letter to identify the source(s) of this new interference. If your client is unable to locate and resolve this interference by May 6, 2011, please advise this office about the nature of the problem, the steps your client is taking to resolve it and the estimated time in which those steps can be accomplished. Please send

¹ Fines normally range from \$7,500 to \$10,000.

your response to this office at the following address: 1270 Fairfield Road, Gettysburg, PA 17325. Your response must also include a carbon copy to Mr. (name withheld) so that he can confirm any statement that you make regarding resolution of the interference. If you have any questions about this matter, please contact me at 717-338-2577.

Sincerely,

Laura L. Smith, Esq.
Special Counsel
Enforcement Bureau

cc: Denver Field Office
Western Regional Director